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Proposed Attorneys for Debtors and
Debtors in Possession

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In Re:
S.B. Restaurant Co., et al.,¹
Debtors.

Affects:

- ☒ All Debtors
☐ S.B. Restaurant Co.
☐ S.B. Restaurant Co. of Kansas LLC
☐ S.B. Restaurant Co. of Central Florida, LLC

Debtors.

Case No.: 14-13778 (ES)

Chapter 11

Jointly Administered with Case Nos.:
14-13780 (ES); and 14-13781 (ES)

**(1) NOTICE OF CHAPTER 11 FILING
AND HEARING ON EMERGENCY
FIRST DAY MOTIONS AND**

**(2) PROPOSED FIRST DAY HEARING
AGENDA**

Date: June 19, 2014
Time: 9:00 a.m.
Place: Courtroom 5A
411 West Fourth Street
Santa Ana, CA
Judge: Honorable Erithe A. Smith

PLEASE TAKE NOTICE THAT:

A. Commencement of Chapter 11 Case and Notice of First Day Hearing

On June 16, 2014, S.B. Restaurant Co., et al., (the “**Debtors**”), each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Central District of California, Santa Ana Division (the “**Court**”).

¹ The Debtors and the last four digits of each the Debtor’s federal tax identification numbers are S.B Restaurant Co. (3572); S.B. Restaurant Co. of Kansas LLC (3291); and S.B. Restaurant Co. of Central Florida, LLC (0207). The Debtors’ address is: 200 E. Baker Street, Suite 201, Costa Mesa, CA 92626.

The Debtors requested a Court hearing (the “**First Day Hearing**”) on the emergency motions (the “**First Day Motions**”) listed on the proposed first day agenda attached hereto as **Exhibit 1**.

Time and Date of Hearing: **June 19, 2014** at **9:00 a.m.** (Pacific Standard time)

Location of Hearing: Judge Erithe A. Smith, Courtroom 5A United States Bankruptcy Court for the Central District of California, Ronald Reagan Federal Building and United States Courthouse, 411 West Fourth Street, Santa Ana, CA 92701.

Copies of Motions: A copy of each of the First Day Motions can be viewed on the Debtors’ Legal Information website: www.omnimgt.com/SBRestaurant

B. Deadline for Objections

Your rights may be affected. You should read the First Day Motions carefully and discuss them with your attorney if you have one in this bankruptcy case. (If you do not have one in this bankruptcy case, you may wish to consult one.)

Any opposition or other response to the First Day Motions must be filed with the Court and served on proposed counsel for the Debtors at the above address any time before the hearing or may be presented at the hearing on the First Day Motions at the time and place set forth above. Failure to timely object may be deemed by the Court to constitute consent to the relief requested herein.

If you do not want the Court to grant the relief requested in the First Day Motions, or if you want the Court to consider your view on the First Day Motions, you or your attorney must attend the First Day Hearing. **If you or your attorney do not attend the First Day Hearing, the Court may grant the relief requested in the First Day Motions.**

Dated: June 16, 2014

PACHULSKI STANG ZIEHL & JONES LLP

By: /s/ Jeffrey N. Pomerantz

Jeffrey N. Pomerantz

John W. Lucas

Proposed Attorneys for
Debtors and Debtors in Possession

FIRST DAY HEARING AGENDA

INTRODUCTION

**Notebook
Tab**

Item

- 1 **“First Day Declaration” and Case Background - Declaration of T. Scott Avila in Support of Emergency First Day Motions (Docket No. 17, filed 06/16/14)**

FIRST DAY MOTIONS

Financing Motions

- 2 **“DIP Financing Motion”** Emergency Motion for Interim and Final Orders (A) Authorizing Postpetition Financing Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 364(c)(1), 364(c)(2), 364(c)(3) and 364(d)(1); (2) Authorizing the Use of Cash Collateral; (3) Granting Security Interests and Superpriority Claims; (4) Providing Adequate Protection; (5) Modifying Automatic Stay; and (6) Granting Related Relief **(Docket No. 18, filed 06/16/14)**
- 3 **“Cash Management Motion”** Emergency Motion for Order Pursuant to 11 U.S.C. §§ 363, 364(c)(2), 1107 and 1108 Authorizing (1) Maintenance of Existing Bank Accounts, (2) Continued Use of Existing Cash Management System, and (3) Continued Use of Checks and Business Forms **(Docket No. 19, filed 06/16/14)**

Motions Regarding Business Operations

- 4 **“Wages Motion”** Emergency Motion for Order (1) Authorizing Debtors to Pay Prepetition (A) Wages, Salaries, Non-Insider Bonuses and Other Compensation, (B) Employee Medical, Workers Compensation, and Similar Benefits, (C) Employee Deductions, and (D) Reimbursable Employee Expenses; and (2) Authorizing and Directing Applicable Banks and Other Financial Institutions to Receive, Process, Honor, and Pay Checks Presented for Payment and to Honor Transfer Requests Relating to the Foregoing **(Docket No. 20, filed 06/16/14)**
- 5 **“Utility Motion”** Emergency Motion of Debtors for Order (A) Prohibiting Utility Companies From Altering, Refusing, or Discontinuing Services and (B) Determining Adequate Assurance of Payment for Future Utility Services **(Docket No. 21, filed 06/06/14)**
- 6 **“Sales & Use Tax Motion”** Emergency Motion of Debtors for an Order (I) Authorizing the Debtors to Pay Prepetition Sales and Use and Other Taxes Payable to Governmental Authorities in the Ordinary Course of Business and (II) Directing Banks and Financial Institutions to Honor and Process Checks and Transfers Related Thereto **(Docket No. 22, filed 06/06/14)**
- 7 **“Customer Programs Motion”** Emergency Motion for Order Authorizing the Debtors to Honor Certain Prepetition Obligations for the Benefit of Their Customers and to Otherwise Continue Customer Programs and Practices in the Ordinary Course **(Docket No. 23, filed 06/16/14)**
- 8 **“Lease & Contract Rejection Motion”** Emergency Motion for Order Pursuant to Sections 105(a) and 365(a) of the Bankruptcy Code Authorizing Debtors to Reject

Unexpired Leases and Executory Contracts and to Abandon Any Personal Property
Located at Leased Premises (**Docket No. 24, filed 06/16/14**)

Motions Regarding Administrative and Procedural Matters

9 **“Schedule and Statement of Financial Affairs Extension Motion”** Emergency
Motion of Debtors for an Order Extending Time to Complete Schedule of Assets and
Liabilities and Statement of Financial Affairs (**Docket No. 25, filed 06/16/14**)

10 **“Notice Procedures Motion”** Emergency Motion of Debtors for an Order (I)
Limiting Scope of Notice, (II) Establishing Omnibus Hearing Dates, and (III)
Implementing Other Case Management Procedures (**Docket No. 26, filed 06/16/14**)

CONCLUSION

- Scheduling of Final Hearing on First Day Motions for Which Interim Relief is requested
- Scheduling of Hearing on Non-Emergency Motions
- Other Comments